

# GOVERNANCE AND MANAGEMENT OF THE SERVICE – INCLUDING CONFIDENTIALITY OF RECORDS POLICY

## 2017 / 2018

Date:	25 Oct 2017
Version:	1.
Last Amended By:	Susan Wilkinson
Next Review:	Oct 2018
Position:	Nominated Supervisor / Director / Teacher / Administration

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### 1 Aim

Edgeworth Child Care Centre aims to ensure good governance and accountability to its stakeholders by:

- Conduct our affairs legally, ethically and with integrity, ensuring compliant with all funding, regulatory and legislative requirements placed on the organisation
- Remain solvent and comply with all our financial obligations.
- Identify organisational risks and legal obligations and manage these.
- Ensure mechanisms are in place for fair and transparent governance.

### 2 Overview

- Educators
- Children
- Staff
- Families
- Management
- Visitors

### 3 Roles and Responsibilities

#### Management

The management of our education and care service is overseen by the Management Committee. The Management Committee is accountable to members for the performance of the organisation.

#### Management Committee Role

The Management Committee has overall responsibility to members for the sustainability and relevance of the service. The Board/Management will direct its activities towards achieving the organisation's goals and implementing the organisation's Quality Improvement Plan by guiding and monitoring the organisation's

business and affairs in line with the objects as set out in the organisation's rules and in line with the organisation's philosophy.

In carrying out its responsibilities, the Management Committee undertakes to maximise the value and contribution of the organisation to the community, and to serve the interests of the organisation's members, employees and families and children using the service. In serving these interests there is an implicit understanding that the rights of the child are paramount in all decision making.

The Management Committee is the employer of all staff of the organisation and are responsible for the management and control of the organisation as the Approved Provider of education and care under the Children Education and Care Services National Law 2010 and the Education and Care Services National Regulations 2011.

## **4 Policies**

The Management Committee will:

- Ensure that a comprehensive set of policies are in place as required under Education and Care Service Regulations and other Regulations and laws that the service must comply with;
- Ensure that these policies comply with relevant legislation; and
- Update these policies on a regular basis

## **5 Compliance Measures**

The Management Committee will:

- Ensure that mechanisms are in place such as compliance tools and a compliance calendar to assist them to assess that the organisation's policies are implemented; and
- Prepare a sample service summary sheet for new committee members.

## **6 Constitution**

The Management Committee of the Association will:

- Ensure that the organisation's constitution/articles of association is are followed at all times;
- Ensure that the constitution/ articles of association are reviewed at least every three years;
- Ensure that each new member of the Board/Management, and
- Committee is provided with a copy of the organisation's constitution and Quality Improvement Plan on their appointment to Management Committee.

## **7 Board/Management Committee Powers**

The Management Committee sets the strategic direction and monitors performance of the organisation. The Management Committee will provide effective governance to ensure excellent overall management of the organisation's business and financial objectives.

In addition, the Management Committee members may delegate any of their powers (with the exception of the power of delegation and responsibilities as Approved Provider) to a committee of directors, a director, an employee or any other person.

The Management Committee delegates the responsibility of implementing the strategic plan and day-to-day management of the organisation to the service's Director/Co-ordinator/ Manager.

In discharging its powers, each Director/Management Committee member will be bound by the Associations Act/Corporations Act, the Constitution and all policies of the organisation.

The Board's/Management Committee's authority includes:

- Overseeing the organisation including its control and accountability systems;
- Appointing and removing the Director/Co-ordinator/Manager;
- Ratifying the appointment of all staff members;
- Developing organisational strategy and performance objectives;
- Reviewing, ratifying and monitoring systems of risk management and internal control, codes of conduct, and legal compliance;
- Monitoring the Director's/Co-ordinator's/Manager's performance and implementation of strategy;
- Approving and monitoring financial and other reporting;
- Authorising appropriate delegations within the organisation;
- Ensuring appropriate resources are available to carry out the organisation's functions; and
- Approving and monitoring the progress of major capital expenditure

## **8 Risk Management**

The Management Committee will:

- Ensure the organisation operates with and to a valid Constitution/Articles of Association and that all governance and management practices of the Management Committee and staff align with the Constitution/Articles of Association;
- Demonstrate achievement of this through accessible meeting minutes and Management Committee self-assessments;
- Assist Board members to receive ongoing support and professional development in the implementation of effective and evidence based governance practice.

## **9 Code of Conduct**

The Management committee members will:

- Commit themselves members to ethical, businesslike, and lawful conduct, including proper use of authority and professional decorum when acting as Management Committee members;
- Demonstrate un-conflicted loyalty to the interests of the organisation when acting as a Management Committee member;
- Avoid conflicts of interest with respect to their role;
- Annually disclose their involvement with other organisations or companies that currently do business or may do business with the organisation;

- Immediately disclose to the Management Committee any and all impending conflicts of interest. That member shall absent herself or himself without comment from both the deliberation and final decision-making;
- Not use information exclusive to Management Committee members for personal gain and will respect the confidentiality of all information obtained during meetings or through their role; and
- Respect the confidentiality appropriate to issues of a sensitive nature.

## 10 Related Documents

- Australian Children’s Education and Care Quality Authority (ACECQA) - [www.acacqa.gov.au](http://www.acacqa.gov.au)

## 11 Related Statutory Obligations & Considerations

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011
- NSW Association Incorporation Act 2009

Reg 168	Education and care service must have policies and procedures
Reg 168 (2) (l)	Governance and management of the service, including confidentiality records.

QA 7	Leadership and service management
QA 7.3	Administrative system enables the effective management of quality service.

## 12 Amendment History

Version	Amendment	Short Description
Ver No.1	n/a	n/a

This policy will be updated to ensure compliance with all relevant legal requirements every year. Appropriate consultation of all stakeholders (including staff and families) will be conducted on a timely basis. In accordance with Regulation 172 of the *Education and Care Services National Regulation*, families of children enrolled will be notified at least 14 days and their input considered prior to any amendment of policies and procedures that have any impact on their children or family.